

To: Tapia, Cecilia[Tapia.Cecilia@epa.gov]; Hammerschmidt, Ron[Hammerschmidt.Ron@epa.gov]; Hood, Rich[Hood.Rich@epa.gov]
From: Gravatt, Dan
Sent: Fri 5/31/2013 12:59:44 PM
Subject: FW: ACTION REQUIRED: Proposed Responses to Sen Blunt Inquiry re: West Lake Landfill

Cecilia, Ron, Rich, here are my draft proposed responses for your review prior to sending to LaTonya:

- 1) EPA believes security at the site is adequate. Specific questions about site security should be directed to Republic Services.
- 2) EPA will not be providing a formal response to Dr. Criss' March 14, 2013 questions, as there is not currently a formal comment period for the site. However, EPA plans to address some of the questions raised in that document during future public meeting presentations.
- 3) I believe this question refers to the May 16, 2013 radiological survey MDNR conducted in response to the blog post that same day (<http://pissinontheroses.blogspot.com/2013/05/crazy-radioactive-stench-from.html>) which claimed that the odor from the Bridgeton Sanitary Landfill was radioactive. MDNR's survey results indicated background radiation levels at all locations. While MDNR's radiological survey was not specifically intended to evaluate "movement of the top 1 foot of contaminated soil by water, air and wildlife", their survey results and EPA's ASPECT results do not show any evidence of erosion or movement of surface radiological materials.
- 4) [Note: these questions from Mr. DeGregorio are verbatim from Harvey Ferdman's earlier inquiry; responses copied from "Congo Waste Inquiry" on H: drive]

It is likely that the soil removed from the Latty Avenue site and mixed with the barium sulfate residue contained residual amounts of the other radiological wastes stored there as identified in the referenced document. However, assuming that the NRC has no more information than is included in these and other documents in EPA's possession, it is impossible to say how much radiological material this soil contained. Since the Congo raffinate and Colorado raffinate were valuable enough to justify drying and shipping these materials to Colorado, it is likely that very little of this material was left on-site.

The NRC made a mathematical error on the first page of its November 1, 1974 letter to Cotter Corporation when it calculated the uranium concentration in the mixture of leached barium sulfate residue and soil as 0.0001%. The value should have been 0.01%. Regardless of the percentage calculation, the *amount* of uranium in this mixture (seven tons) has been consistently

reported by NRC and EPA and is not in question. Most importantly, EPA has extensive analytical results for the materials actually present in West Lake Landfill, as reported in the Remedial Investigation Report, the Record of Decision, and other documents in the Administrative Record. The actual site conditions, analytical results and risk assessments form the basis for EPA's decision-making at the site.

According to the NRC's November 1, 1974 letter to Cotter Corporation, in the last paragraph on page 4, "The only residue then remaining at the site was the 8700 tons of leached barium sulfate." In the context of this paragraph, this was the condition at the site just prior to mixing the leached barium sulfate with the surface soils at the Latty Avenue site. While not explicitly accounted for in the NRC's letter, these miscellaneous residues were apparently not included in the materials sent to the West Lake Landfill. DOE may have further information on the disposition of these miscellaneous residues.

Sincerely,

Daniel R. Gravatt, PG

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Principles and integrity are expensive, but they are among the very few things worth having.

From: Sanders, LaTonya
Sent: Thursday, May 30, 2013 3:36 PM
To: Gravatt, Dan
Cc: Hammerschmidt, Ron
Subject: ACTION REQUIRED: Sen Blunt Inquiry re: West Lake Landfill
Importance: High

Hi Dan,

Please see the inquiry below from Sen. Blunt's office and provide me information to respond.

Thanks.

From: DeGregorio, Kerry (Blunt) [mailto:Kerry_DeGregorio@blunt.senate.gov]
Sent: Thursday, May 30, 2013 10:51 AM
To: Sanders, LaTonya
Subject: West Lake Landfill

Good morning,

Thank you for the ASPECT briefing yesterday. It was very helpful. I have a couple of follow up questions.

1. Since West Lake Landfill is becoming a very public location has the agency revisited the need for additional security? Is there 24 hour security?
2. When will EPA release the response to Dr. Criss' report? Can we look for that release before the June 25, 2013 public meeting.
3. My question on the call yesterday related to the movement of the top 1 foot of contaminated soil by water, air, and wildlife. Was the testing of the perimeter of Landfill by MO DNR to evaluate this movement?
4. Some of the resident's experts are concerned that the 39,000 tons of top soil thought to

dilute the 8700 tons of barium-sulfate at West Lake Landfill is really radioactive materials that are the leftovers of Congo and Colorado Raffinate after the bulk of them were shipped offsite, plus the top 12-18 inches of the soil they were sitting on (see bottom of page 4 and top of page 5 of AEC Inspection Report*). Logically, this would have included tailings of the Raffinate that had mixed in with the top soil or been too dispersed to be worth shipping out of state.

Did the cover letter to the AEC report contains an error in the math that yielded the statement that the barium-sulfate was dilute to 0.0001% (see math below)? This number should have read 0.01%** or 100 to 150 times higher than EPA reports, assuming non-rim soil was used.

Is there an additional 350 T of "miscellaneous residues containing about 2 tons of uranium" that may have ended up at West Lake?

Kerry J. DeGregorio

U.S. Senator Roy Blunt

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